



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 07 2014

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL 70091680000076778275**  
**RETURN RECEIPT REQUESTED**

Mr. Bruce Palin  
Assistant Commissioner  
Office of Land Quality  
Indiana Department of Environmental Management  
100 North Senate Avenue – MC 50-01  
Indianapolis, Indiana 46204-2251

Re: Enforcement Action Notification  
Summit Inc.  
EPA I.D. NO.: INX 000028902

Dear Mr. Palin:

Pursuant to Section 3008(a)(2) of the Resource Conservation and Recovery Act, as amended, I am providing notice to you that the U.S. Environmental Protection Agency, is preparing to issue a formal enforcement action under Section 3008(a)(1) to Summit Inc., 6901 West Chicago Avenue, Gary, Indiana.

The formal enforcement action is in response to the March 18, 2009 inspection by the EPA, and addresses noncompliance with the Standards Applicable to Generators of Hazardous Waste.

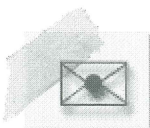
If you have any questions regarding this letter, please contact Spiros Bourgikos, of my staff, at (312) 886-6862.

Sincerely,

A handwritten signature in blue ink, which appears to read "Gary J. Victorine", is written over the typed name and title.

Gary J. Victorine, Chief  
RCRA Branch

cc: Mr. Bruce Kizer, IDEM  
Ms. Nancy Johnston, IDEM



Richard  
Clarizio/R5/USEPA/US  
03/26/2009 08:19 AM

To Spiros Bourgikos/R5/USEPA/US@EPA  
cc  
bcc  
Subject Re: Summit 3007

Spiros,

I concur with the attached document which has a few changes/additions. Isn't this the site where Sue had some concerns about filling wetlands? Should we inform the wetlands folk of the imminent fill?

Rich



Summit Slag 3007 rjc.doc

Spiros Bourgikos---03/25/2009 04:08:46 PM---Rich please take a look at the attachment of the information r

From: Spiros Bourgikos/R5/USEPA/US  
To: Richard Clarizio/R5/USEPA/US@EPA  
Date: 03/25/2009 04:08 PM  
Subject: Summit 3007

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Rich please take a look at the attachment of the information request.  
I took out the question concerning the used oil and I added one for the slag  
Summit will be getting in the next few months.

If you don't have any major concerns please concur via an e-mail and I will give it to Lorna.

[attachment "Summit Slag 3007.doc" deleted by Richard Clarizio/R5/USEPA/US]

Spiros Bourgikos, Environmental Engineer  
U. S. Environmental Protection Agency, Region 5  
Land and Chemicals Division  
RCRA Branch  
Compliance Section 1  
77 West Jackson Boulevard  
Mailcode: LR-8J  
Chicago, IL 60604

Phone: (312) 886-6862  
Fax: (312) 353-4788  
e-mail: bourgikos.spiros@epa.gov

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Mr. Peter Coulopoulos  
Summit, Inc.  
6901 West Chicago Avenue  
Gary, Indiana 46406**

2. Article Number

(Transfer from service label)

7001 0320 0005 8915 4780

PS Form 3811, March 2001

Domestic Return Receipt

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

B. Date of Delivery

9/17/09

C. Signature

X *Dennis Bloom* ☐ Agent  
☐ AddresseeD. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No*Dennis Bloom*

3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☒ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes







UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 31 2009

REPLY TO THE ATTENTION OF:  
LR-8J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Peter Coulopoulos  
Summit, Inc.  
6901 West Chicago Avenue  
Gary, Indiana 46406

Re: Request for Information  
Summit, Inc.

Dear Mr. Coulopoulos:

By this letter, the U. S. Environmental Protection Agency requests information under Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. § 6927. Section 3007 authorizes the Administrator of EPA to require you to submit certain information.

This request requires Summit Inc., (you), to submit certain information relating to its operations located at 6901 West Chicago Avenue, Gary, Indiana 46406. We are requiring this information for purposes of enforcing Section 3002 of RCRA and its implementing regulations. Attachment 1 specifies the information you must submit. You must submit this information within 15 calendar days of receiving this request to the U.S. EPA, Attention: Spiros Bourgikos, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

You may, under 40 C.F.R. Part 2, Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 C.F.R. § 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures at 40 C.F.R. Part 2, Subpart B. You must make any request for confidentiality when you submit the information since any information not so identified may be made available to the public without further notice.

You must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading

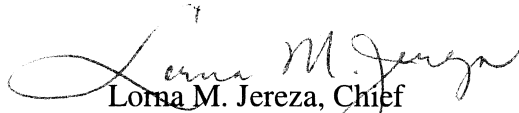
or incomplete, the signatory should notify us. Knowingly providing false information, in response to this request, may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil or criminal action.

This request is not subject to the Paperwork Reduction Act, U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject Summit Inc., to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Spiros Bourgikos, of my staff, at (312) 886-6862.

Sincerely,

  
Lorna M. Jereza, Chief  
Compliance Section 1  
RCRA Branch

Attachments

cc: Nancy Johnston, Indiana Department of Environmental Management

## **Attachment 1**

### **REQUEST FOR INFORMATION**

**Instructions:** You must respond separately to each of the questions or requests in this attachment. Precede each answer with the number of the Request for Information to which it corresponds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.

#### **Requests:**

1. Identify all persons consulted in preparing the answers to this Request for Information. Provide the full name and title for each person identified.
2. For the slag shipped to your site from January 1, 2000 to the date of receipt of this request, provide the following information:
  - a. the date and amount of slag received during each shipment;
  - b. for each shipment of slag, identify the wholesaler/retailer/seller of the slag;
  - c. for each shipment of slag, identify the generator of the slag;
  - d. any and all documents related to each shipment of slag including but not limited to bills of lading, sampling and material safety data sheets.
3. During the March 18, 2009 EPA inspection, Mr. Coulopoulos stated to Spiros Bourgikos, one of the three EPA inspectors present at the time, that in the next few months, Summit, Inc. intends to bring a large amount of slag as fill material to be used throughout the site. According to Mr. Coulopoulos, the slag will be provided by Beemsterboer. For the slag to be provided by Beemsterboer provide the following information:
  - a. identify the generator of the slag;
  - b. the amount of slag to be provided;
  - c. projected dates of shipment ;
  - d. any and all documents related to the slag including but not limited to any contracts with Beemsterboer, sampling and material safety data sheets;
  - e. indicate on a map the areas where you plan on depositing the slag and whether you have any permits for such filling activities.
4. Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request

for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

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Date

---

Signature of Corporate Officer, Title



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

LR-8J

SEP 15 2009

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Peter Coulopoulos  
Summit, Inc.  
6901 West Chicago Avenue  
Gary, Indiana 46406

Re: Request for Information  
Summit, Inc.

Dear Mr. Coulopoulos:

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This request requires Summit Inc., (you), to submit certain information relating to its operations located at 6901 West Chicago Avenue, Gary, Indiana 46406. We are requiring this information for purposes of enforcing RCRA and its implementing regulations. Attachment 1 specifies the information you must submit. You must submit this information within 15 calendar days of receiving this request to the EPA, Attention: Spiros Bourgikos, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

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You must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading or incomplete, the signatory should notify us. Knowingly providing false information, in

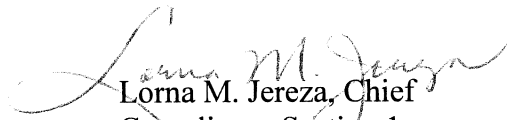
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Failure to comply fully with this request for information may subject Summit Inc., to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Spiros Bourgikos, of my staff, at (312) 886-6862.

Sincerely,

  
Lorna M. Jereza, Chief  
Compliance Section 1  
RCRA Branch

Attachment

cc: Nancy Johnston, Indiana Department of Environmental Management

## **Attachment 1**

### **REQUEST FOR INFORMATION**

**Instructions:** You must respond separately to each of the questions or requests in this attachment. Precede each answer with the number of the Request for Information to which it corresponds. For each document produced in response to this Request for Information, indicate on the document, or in some other reasonable manner, the number of the question to which it responds.

#### **Requests:**

1. Identify all persons consulted in preparing the answers to this Request for Information. Provide the full name and title for each person identified.
2. Provide a copy of all waste determinations performed on liquids removed from containers (e.g., drums, buckets) and tanks from March 19, 2009 to the present. For the liquids removed from your site from March 19, 2009 to the date of receipt of this request provide the following information:
  - a. Copies of all results of physical and chemical tests performed on the liquids;
  - b. Copies of all waste determinations based on knowledge of the hazard characteristic of the waste in light of the materials or processes used;
  - c. For each shipment of liquids, identify the transporter/marketer/wholesaler/retailer/seller/broker of the liquids;
  - d. For each shipment, what facility was designated to receive the shipment?
  - e. Provide any and all documents related to each shipment of liquids including but not limited to Uniform Hazardous Waste Manifest, invoice, work order, job ticket, bill of lading/tracking document and other similar shipping documents.
3. Identify the Summit, Inc. employee responsible for compliance with the Resource Conservation and Recovery Act.
4. For each shipment identified in response to question 2 above, how was the shipment disposed or recycled (e.g., made into a fuel to be burned for energy recovery, processed for reuse)?
5. Have all drums containing liquid wastes from the area near Crusher 1 and the gasoline recovery shed been pumped out between March 18, 2009 and the present?
6. If the answer to request 5 is no, describe the drums that have not been pumped out and their location(s) since March 18, 2009.



7. If the answer to request 5 is yes, how were the liquids managed (stored, treated, transported, etc.) after they were pumped out of the drums?
8. On March 18, 2009, EPA collected samples from drums located at the Gasoline Recovery Area. Attached are pictures of those drums. For those drums answer the following questions:
  - a. specify the contents of the drums;
  - b. where did the contents of the drums come from;
  - c. when were the contents placed in the drums;
  - d. provide copies of all waste determination(s) made related to those drums and their contents;
  - e. what did you do with the drums and their contents after March 18, 2009;
  - f. provide copies of all manifest, shipping and billing documents related to the off-site shipment of those drums or their contents.
  - g. provide copies of all sampling or analytical results of the contents of the drums.
9. Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of documents. Based on my review of all relevant documents and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

**Summit Inc.**  
**Photographs of Drums Stored in the Gasoline Recovery Area**



Photograph No. 1

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: Drums of what appeared to be used oil stored against the east wall of the gasoline recovery shed.



Photograph No. 2

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: 55-gallon drums of what appeared to be used oil, stored adjacent to the west wall of the gasoline recovery shed.



Photograph No. 7

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: Drum of what appeared to be used oil. The samples numbered 03180908, 03180909 and 03180910 were withdrawn from this drum.



Photograph No. 3

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: Samples numbered 3180905, 03180906 and 03180907.



Photograph No. 4

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: Samples numbered 03180908, 03180909 and 03180910.



Photograph No. 5

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: Samples numbered 03180911, 03180912 and 03180913.





Photograph No. 6

Date: March 18, 2009

Photographer: Spiros Bourgikos

Site: Summit, Inc., 6901 West Chicago Ave, Gary, IN 45406

Description: Samples numbered 03180914, 03180915 and 03180916.

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Signature <b>X</b> <b>STEPHEN SMITH</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  Mr. Bruce Palin /Assistant Commissioner Indiana Department of Environmental Management 100 North State Avenue - MC 50-01 Indianapolis, Indiana 46204-2251		B. Received by (Printed Name) <b>MAR 12 2014</b>	
		C. Date of Delivery	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		Mail <input type="checkbox"/> Express Mail ed <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
		7009 1680 0000 7677 8275	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540